

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JEANNETTE FULLER HAUSLER as Successor  
Personal Representative of the Estate of  
ROBERT OTIS FULLER ("BOBBY  
FULLER"), Deceased, on behalf of THOMAS  
CASKEY as Personal Representative of the  
Estate of LYNITA FULLER CASKEY,  
surviving daughter of ROBERT OTIS FULLER,  
THE ESTATE OF ROBERT OTIS FULLER,  
FREDERICK FULLER, FRANCIS FULLER,  
GRACE LUTES, JEANNETTE FULLER  
HAUSLER, and IRENE MOSS,

Petitioner,

-against-

JPMORGAN CHASE BANK, N.A.,  
CITIBANK, N.A., UBS AG, THE ROYAL  
BANK OF SCOTLAND N.V. (FORMERLY  
KNOWN AS ABN AMRO BANK N.V.), and  
BANK OF AMERICA, NATIONAL  
ASSOCIATION,

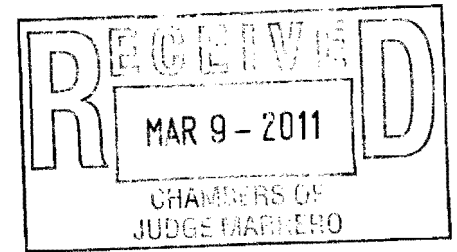
Garnishee-Respondents.

JPMORGAN CHASE BANK, N.A.,  
CITIBANK, N.A., UBS AG, THE ROYAL  
BANK OF SCOTLAND N.V. (FORMERLY  
KNOWN AS ABN AMRO BANK N.V.), and  
BANK OF AMERICA, NATIONAL  
ASSOCIATION,

Garnishee-Respondents  
and Third-Party  
Petitioners,

-against-

BANCO FINANCIERO INTERNACIONAL  
S.A., BANCO INTERNACIONAL DE  
COMERCIO, S.A., BANCO NACIONAL DE  
CUBA, BANCO POPULAR DE AHORRO,



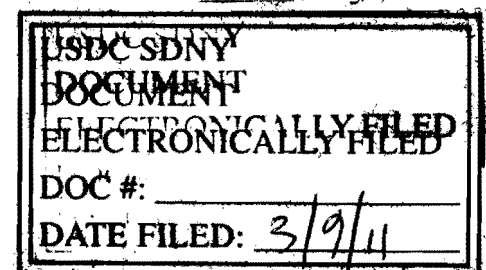
09 Civ. 10289 (VM)

Related to JPM Chase/Citibank  
Turnover Proceeding

In Respect of a Judgment  
Entered in the State of Florida,  
Case No. 02-12475-CA-09

**STIPULATION AND  
ORDER OF  
VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE OF  
TURNOVER CLAIM  
AGAINST UBS AG AS TO  
UBS ACCOUNT #2 AND  
VOLUNTARY DISMISSAL  
WITHOUT PREJUDICE OF  
RELATED INTERPLEADER  
CLAIMS**

**TRANCHE III**



ABBOTT LABORATORIES, INC., as successor :  
 to Quimica Knoll de Mexico, S.A. de C.V., :  
 AEROFLOT LINEAS AEREAS SOVIETICAS, :  
 ALBET INGENIERA Y SISTEMAS, BANCO :  
 BILBAO VIZCAYA ARGENTINA, S.A., :  
 BANCO BILBAO VIZCAYA ARGENTINA :  
 PANAMA, S.A., as successor to Banco Exterior :  
 Panama, S.A., BANCO DE CREDITO DEL :  
 PERU, as successor to Financiera Nacional S.A., :  
 BANCO DE ESPANA, BANCO ESPANOL DE :  
 CREDITO, BANCO MONEX S.A., BANCO :  
 NACIONAL DE MEXICO, S.A., BANCO :  
 PAULISTA S.A., BNP PARIBAS, BNP :  
 PARIBAS ESPANA, S.A., BANCO :  
 SANTANDER S.A., BANCO SANTANDER :  
 TOTTA, S.A., as successor to Banco Totta & :  
 Acores S.A., CAJA DE AHORROS Y MONTE :  
 DE PIEDAD DE MADRID, CASA DE :  
 CAMBIO MONEX, S.A., CREDIT SUISSE :  
 GROUP AG, as successor to Swiss American :  
 Securities, DRESDNER LATEINAMERIKA :  
 A.G., as successor to Dresdner Bank :  
 Lateinamerika A.G., ESTUDIOS MERCADOS :  
 Y SUMINISTROS S.L., GREEN DOWA :  
 HOLLAND BV, HSBC TRINKAUS & :  
 BURKHARDT AG, ING BANK N.V., :  
 INSTITUTO DE CARDIOLOGIA Y CIRUGIA :  
 CARDIOVASCULAR CUBA, :  
 INTERNATIONAL HANDLERS, INC., JSC :  
 ZARUBEZHTSVETMET, LTU :  
 LUFTRANSPORT-UNTERNEHMEN GMBH, :  
 NOVAFIN FINANCIERE S.A., PETROLEOS :  
 DE VENEZUELA S.A., PHILIPS MEXICANA :  
 S.A. DE C.V., PREMUDA S.P.A., SANPAOLO :  
 BANK S.A., SELECMAR SHIP :  
 MANAGEMENT, TUI UK LTD., as successor :  
 to Britannia Airways Ltd., TRYG :  
 FORSIKRING, as successor to Baltica Bank and :  
 Baltica Forsilkring, UNION BANCAIRE :  
 PRIVEE, VITOL ENERGY (BERMUDA) LTD :  
 and JEANNETTE FULLER HAUSLER as :  
 Successor Personal Representative of the Estate :  
 of ROBERT OTIS FULLER ("BOBBY :  
 FULLER"), Deceased, on behalf of THOMAS :  
 CASKEY as Personal Representative of the :  
 Estate of LYNITA FULLER CASKEY, :

surviving daughter of ROBERT OTIS FULLER, :  
 THE ESTATE OF ROBERT OTIS FULLER, :  
 FREDERICK FULLER, FRANCIS FULLER, :  
 GRACE LUTES, JEANNETTE FULLER :  
 HAUSLER, and IRENE MOSS, :  
 :  
 Adverse Claimants- :  
 Respondents. :

x

**STIPULATION AND ORDER OF VOLUNTARY DISMISSAL  
 WITHOUT PREJUDICE OF TURNOVER CLAIM AGAINST UBS AG AS TO  
 UBS ACCOUNT #2 AND VOLUNTARY DISMISSAL WITHOUT PREJUDICE  
 OF RELATED INTERPLEADER CLAIMS**

WHEREAS, on or about July 7, 2010, Petitioner filed and served on UBS AG.  
 (“UBS”) and the other Garnishee-Respondents a Petition for Turnover (“Turnover  
 Petition III”);

WHEREAS, Petitioner alleged that the account identified as UBS Account #2 in  
 Exhibit F to Turnover Petition III contained the proceeds of a blocked electronic funds  
 transfer (“EFT”), in respect of which Banco Internacional S.A. (“Banco Internacional”),  
 an Ecuadorian party, was the originator and the originator’s bank, UBS was the  
 intermediary bank, Dresdner Bank Latinamerika A.G. (“Dresdner Bank”), a German  
 Party, was the beneficiary’s bank, and Banco Financiero Internacional S.A. (“Banco  
 Financiero”), a Cuban party, was the beneficiary of the wire transfer, as those terms are  
 defined in Article 4A of New York’s Uniform Commercial Code;

WHEREAS, UBS answered Turnover Petition III on September 27, 2010;

WHEREAS UBS, together with the other Garnishee-Respondents, filed a Joint  
 Third-Party Petition Alleging Claims in the Nature of Interpleader on October 29, 2010  
 (“Third-Party Petition”);

WHEREAS, counsel for Petitioner and counsel for Citibank have agreed to defer without prejudice pursuit of claims concerning UBS Account #2;

WHEREAS, Banco Internacional, Dresdner Bank, and Banco Financiero have not appeared in this lawsuit or filed a responsive pleading as of the date of this stipulation;

WHEREAS, none of the Adverse Claimants-Respondents other than the undersigned Petitioner that have appeared in this litigation have asserted, or are alleged to have, claims to the funds held in UBS Account #2;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, pursuant to Rule 41 of the Federal Rules of Civil Procedure, and SO ORDERED by the Court that

(a) Petitioner's claim against UBS for turnover of funds in UBS Account #2, as identified in Exhibit F to Petitioner's Turnover Petition III, be dismissed without prejudice and without fees or costs in this or a later-filed proceeding, and that

(b) UBS's claims in the nature of interpleader against the parties to the EFT underlying UBS Account #2, as alleged in paragraph 31(b) of the Third-Party Petition, be

dismissed without prejudice and without fees or costs in this or a later-filed proceeding.

Dated: New York, New York  
March 8, 2011

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By:   
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*Attorneys for Garnishee-Respondents and  
Third-Party Petitioners Bank of America,  
National Association, Citibank, N.A.,  
JPMorgan Chase Bank, N.A., The Royal  
Bank of Scotland N.V. (formerly known as  
ABN AMRO Bank N.V.), and UBS AG*

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By:   
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*Attorneys for Petitioner Jeannette Hausler  
as Successor Personal Representative of  
the Estate of Robert Otis Fuller, ("Bobby  
Fuller"), Deceased, on behalf of Thomas  
Caskey as Personal Representative of the  
Estate of Lynita Fuller Caskey, surviving  
daughter of Robert Otis Fuller, The Estate  
Of Robert Otis Fuller, Frederick Fuller,  
Francis Fuller, Grace Lutes, Jeannette  
Fuller Hausler, and Irene Moss*

\* \* \*

SO ORDERED:

March 9, 2011

  
U.S.D.J. Victor Marrero

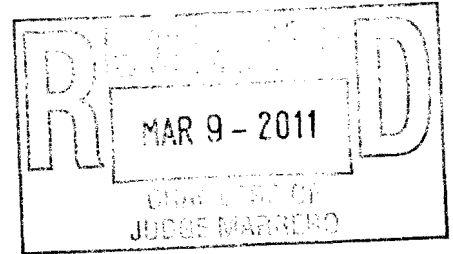
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# Davis Polk

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March 8, 2011

Re: Jeanette Fuller Hausler, et al. v. JPMorgan Chase Bank, N.A., et al.  
No. 09 Civ. 10289 (VM) (Tranche III)

Hon. Victor Marrero, U.S.D.J.  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Dear Judge Marrero:

Enclosed for Your Honor's consideration is a stipulation and proposed order of voluntary dismissal without prejudice of Petitioner's claim to the funds held in the account identified as UBS Account #2 in Exhibit F to the Turnover Petition filed on July 7, 2010. The stipulation and proposed order would also dismiss without prejudice the interpleader claims related to UBS Account #2. Other than Petitioner, who is a party to the enclosed stipulation, none of the Adverse Claimants who have appeared in this litigation have asserted, or are alleged to have, any claim to the funds held in UBS Account #2.

I would respectfully request that Your Honor so-order this stipulation.

Very respectfully yours,

  
James L. Kerr

Enclosure

cc: Counsel for Petitioner